

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK**

IN RE: FISHER-PRICE ROCK 'N PLAY  
SLEEPER MARKETING, SALES  
PRACTICES, AND PRODUCTS  
LIABILITY LITIGATION

MDL No. 1:19-md-2903

This Document Relates to: ALL CASES

Hon. Geoffrey W. Crawford

**NOTICE OF MOTION TO EXCLUDE THE DECLARATION AND OPINIONS OF MR.  
COLIN B. WEIR**

**MOTION ON BEHALF OF:**

Defendants Fisher-Price, Inc. and Mattel, Inc. (collectively, "Defendants"), by and through their attorneys.

**DATE, TIME, AND PLACE OF  
MOTION:**

To be determined by this Court before the Honorable Geoffrey W. Crawford, United States District Judge, Robert H. Jackson United States Courthouse, 2 Niagara Square, Buffalo, New York 14202.

Oral argument is requested.

**RELIEF REQUESTED:**

(1) An Order of this Court granting Defendants' Motion to Exclude the Declaration and Opinions of Mr. Colin B. Weir or; (2) in the alternative, an Order of this Court setting a *Daubert* hearing on the Motion.

**SUPPORTING PAPERS:**

Memorandum of Points and Authorities; Declaration of Adrienne E. Marshack, with Exhibits, together with all prior pleadings and proceedings.

**GROUND FOR  
RELIEF REQUESTED:**

Federal Rule of Evidence 702 and *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993), and authorities in accompanying Memorandum of Points and authorities.

Dated: June 16, 2021

Respectfully submitted,

By: /s/ Adrienne E. Marshack  
Adrienne E. Marshack

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